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Working Group on the Universal Periodic Review**

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**Shadow report of the National Human Rights Committee in Qatar
Submitted in accordance with in accordance with paragraph 15 (c) of the
annex to Human Rights Council resolution 5/1**

Methodology:

The National Human Rights Committee (NHRC) has compiled the information for this report based on the implementation of its functions of monitoring, reporting and handling complaints with a view to protect and promote human rights.

This report was created in consultation and cooperation with the coordinators of community desks open at the headquarters of the committee, and they are a group of local volunteers and defenders of human rights.

The report begins with a description of the legislative and institutional developments that took place during the period 2014-2018 in the framework of achievements and challenges, and then refers to some procedural developments in priority themes. This is followed by reference to the efforts and activities of the NHRC in raising awareness and cooperating with international human rights mechanisms in light of the blockade imposed on the State of Qatar.

The report provides information on the extent to which the State has applied the recommendations accepted in the previous review, national priorities and initiatives undertaken, and some recommendations for addressing challenges and improving the human rights situation.

A. Legislative and institutional developments

1. Achievements:

The years 2014-2018 witnessed a leap in the enactment of legislation related to human rights and freedoms, most notably the Domestic workers Act, the establishment of the Labor Dispute Settlement Committee, the Entry and Exit of expatriates Act which eased known restrictions in the sponsorship and exit permit systems, and Permanent Residence law. This is in addition to making amendments to the Human



Resources Act and the Labor Law and issuing legislation to protect wages. The State has also acceded to the International Covenants on Human Rights.

Many workers were able to change their employers according to the type of contract. Hundreds of thousands of workers opened bank accounts to monitor the payment of their wages under the Wage Protection System, where late delivery penalties are imposed. New legislation to protect domestic workers regulated such aspects as maximum working hours, a weekly holiday of at least 24 consecutive hours, paid vacations for three weeks annually, as well as an end-of-service indemnity. This coincided with the establishment of rapid access to justice mechanisms, represented in the establishment of the Labor Dispute Settlement Committee to resolve the disputes within three weeks of the initial hearing. Migrant workers no longer need permission from their employer to leave the country except certain excluded categories of workers whose nature of work requires the employer to be notified and accept in advance and in which prior consent must be obtained, provided that it does not exceed 5% of the number of workers in an enterprise.

2. Challenges:

Laws on civil and political rights still need to be developed and amended, such as the Law on the Protection of Society, the Law on the Establishment of the State Security Apparatus and the Law on Combating terrorism, which allow long-term detention.

This in addition to legislation that should allow more space for civil society, such as laws on establishing associations and organizing peaceful marches, the Press and Publications Act, which restricts freedom of expression, and laws on nationality, family and housing, which, while having many advantages, are still discriminatory and inconsistent with international human rights standards.

In the same context, the Constitutional Court is still inactive despite the issuance of its establishment law since 2008, the Legislative Council is still appointed, and there are no announcements about upcoming elections. The Municipal Council elections were held with 127 candidates, including five women, out of which 29 candidates won, amongst them two women.

Despite the low representation of women in decision-making positions and only one among the ministerial portfolios, the State of Qatar enabled women to serve as judges in previous years, which is considered a precedent among Gulf Arab states.

B. Procedural developments:

This paragraph refers to some procedural developments on workers' rights and women's rights, due to the recurrence of the recommendations on these subjects in the previous periodic reviews.

1. Protection and promotion of workers' rights:

- Decision of the Minister of Labor and Social Affairs No. (18) For the year 2014 to determine the requirements and specifications of adequate housing for workers:

The year 2008 witnessed the opening and operation of Barwa Al Raha Labor City. The project extends over 1.8 million square meters. It accommodates about 100,000 people, including all basic and recreational services. In the same year, Mesaimmer workers' health center and the Medical Commission Unit were opened, it is equipped to receive up to 43,000 visiting patients per month; it is operated by the Qatar Red Crescent Center, under an agreement with the Ministry of Public Health.

- Resolution of the Minister of Labor and Social Affairs No. 19 of 2014 establishing the Wage Protection Department at the Labor Inspection Department:

A total of 33,836 facilities were registered in the Wage Protection System (WPS), and submitted valid statements as of March 2017.

The WPS contributed to the decrease in the number of workers complaints in 2016 by (9.7%) compared to the previous year 2015, where the number of workers whose salaries were transferred as of April 2017 reached to (1,371,312) workers.

- The Qatari law allows workers to change their jobs after the termination of the contract. If the contract is indefinite (open), migrant workers can move to another job after five years subject to a two month notice period. The NHRC monitored the

approval of (3639) requests to change the employer by the ministry of Interior during the year 2017.

2. Protection and promotion of women's rights:

a. Participation in decision-making positions:

In 2017, an Emiri decree was issued to appoint four Qatari women to the Shura Council.

b. Work:

The total number of job seekers reached 4997, of whom 1153 were male and 3844 females. 3665 were appointed, of whom 2184 were females and 1471 were males¹.

Qatari women hold many positions including non-traditional posts, such as flying civilian aircrafts, and police and military services.

- The NHRC monitored a trend towards more equal opportunities in training and development. For example, in 2017, 4504 government employees participated in training programs for the development of human resources at the Ministry of Labor, in which women comprised 59% of the total population.

- On the level of supervisory positions, there are more males than females in the government sector. In a project carried out by the Ministry of Labor to train supervisors, 141 Qatari trainees participated, including 104 males and 37 females².

c. Education:

- Compulsory education provides equal opportunities for females and males.

- The number of females exceeds the number of males in university education. In 2016 - 2017, the number of Qatari male graduates from the University of Qatar reached 147, while the number of Qatari females reached 889 graduates³.

¹ Qatar monthly statistics, Ministry of Administrative development, labor and social affairs, December 2017

² Domestic Achievements of the State of Qatar, secretariat of the council of ministers (2015- 2016)

³ Domestic Achievements of the State of Qatar, secretariat of the council of ministers (2016- 2017)



3. Institutional efforts and activities of the National Human Rights Committee in raising awareness and cooperation with international human rights mechanisms:

The blockade was imposed on the State of Qatar since June 5, 2017, where KSA, UAE and Bahrain as well as Egypt severed diplomatic relations with the State of Qatar and adopted a package of measures and arbitrary decisions in which Qatari citizens were forced to leave the three Gulf states within 14 days and were prevented from entering their territories. This has resulted in separation between spouses, and mothers with their children, through implementing decisions that blatantly violate all humanitarian and rights principles.

In this regard, the NHRC addressed about 500 human rights organizations and international and regional government and non-governmental organizations, urging them to take urgent action to address the humanitarian effects of the crisis. Furthermore, the NHRC carried out more than 33 visits to European and international capitals to inform them of the impact on citizens and residents of Qatar.

The NHRC has issued four general reports, and four special reports on the violations of the right to education, freedom to perform religious rites, property and health.

The NHRC has received numerous international and governmental human rights organizations such as OHCHR, AMNESTY, HRW and AFD International. The NHRC has also received parliamentary delegations from European countries to review the violations of the State of Qatar caused by the blockade.

Those delegations stressed in their reports that the measures taken by the blockading countries violate civil and political rights as well as economic, social and cultural rights, and that the measures taken by these States are vague and inadequate, and lack any effective mechanisms to address the situation of the victims of the blockade.

For more information on the activities of the NHRC in disseminating human rights principles and its activities in cooperating with international mechanisms, please visit www.nhrc-qa.org

4. Application of the UPR accepted recommendations by the State of Qatar:



This section refers to the extent which the State of Qatar implemented the recommendations it accepted, and were selected based on reoccurrence.

1. Continue its ongoing review of national laws to ensure that they are in line with its international human rights law obligations

In view of the review of the updated national laws and procedures of the State of Qatar in the first paragraph of this report, the State of Qatar has succeeded in implementing its recommendations to continue to improve the working conditions of migrant workers and to develop access mechanisms for justice.

The State should develop legislation on civil and political rights and pay greater attention to the most vulnerable groups, since the children and persons with disabilities acts are under legislative development.

2. Continue its efforts in the area of institutional development

In the past period, the State has succeeded in restructuring several institutions working to protect and promote human rights at the governmental and non-governmental levels, including Family Affairs Department in the Ministry of Administrative Development, Labor and Social Affairs, Human Rights Department of the Ministry of the Interior, Qatar Social Work Foundation (a private institution of public benefit, offering various services in a number of centers, the most important of which are the Social Rehabilitation Center, the Family Counselling Center, the Orphan Care Center, the Empowerment and Care of the Elderly Center, the Shafallah Center for Persons with Disabilities, The Center for Social Development, and the Best Buddies Foundation for persons with disabilities...etc. More recently, Qatar's National Committee to Combat Human Trafficking has been established, which has developed a national strategy for this purpose. This is in addition to the role of the National Human Rights Committee.

The State must develop the law on the establishment of associations in compliance with international human rights standards.

3. Continue actions for the implementation of the objectives/targets of the Qatar National Vision 2030, which plans the evolution, in practice, of the economic, social, cultural, human and environmental development of the State

The State of Qatar has achieved a tangible development in the implementation of its national vision. The unemployment rate has dropped to 0.5%, and no Qatari citizen with an income below \$ 1.25 per day.⁴

High expenditure rates continued to grow and reached QR 15.7 billion in the health sector and QR 26.3 billion in the education sector. On the level of economic, social and cultural rights, Qatar topped the list of Arab countries in the development indicators according to the United Nations Human Development Report 2015, and ranked 32nd in the world out of 188 countries.

4. Strengthen measures to ensure gender equality, particularly in the transmission of nationality to the children of women married to non-citizens

The State has taken an important positive step towards the appointment of four women to the Shura Council and has passed legislation to regulate the rights and duties of domestic workers that would establish frameworks for the fundamental protection of labor rights; this category has been previously excluded from the Labor Code. Access to justice has also been improved through the establishment of the Dispute settlement Committee, which has jurisdiction over all individual disputes arising from the application of the Labor Code and the Domestic workers Act, to resolve the disputes within three weeks of the initial hearings..

On the level of civil and political rights, the extent of participation in decision-making and the assumption of positions by women remain weak in view of their numbers in the appointed and elected councils and the assumption of ministerial portfolios. This is in addition to the gaps that still exist regarding civil rights, including the continued denial of the right of Qatari women to transmit their nationality to their children,

⁴ Millennium Development Goals, State of Qatar, Ministry of Development Planning and Statistics, 2014



setting the minimum age of marriage to 16 years, the difficulties of binational marriage, and other practices that are incompatible with the Convention.

However, the economic, social and cultural rights situation for women in Qatar is already developing, where women are equally active in the private and public sectors. The number of female employees is higher than the number of males. Women receive equal opportunities in training and development.

At the level of education, the State of Qatar has achieved an environment in which girls had equal access to primary and secondary education. Women are more likely to enrol in university education, and higher education. Furthermore, women are entitled to social security protection on the same basis as men. However, women are discriminated against, in regard to housing, land and credit claims at the legislative and procedural levels.

In terms of cultural rights, women in Qatar enjoy full freedom to participate in cultural and sporting life and attending all artistic and sporting events.

With regard to reproductive health and violence against women, the NHRC presented its recommendations to make more efforts to raise awareness about the concept of reproductive health and the rejection of violence in all its forms and to develop legislation to protect against violence, collect statistical data, develop access mechanisms and receive communications and complaints.

The NHRC has also recommended the modification of legislation and procedures to meet international human rights standards, and the Convention on the Elimination of All Forms of Discrimination Against Women, and to withdraw their reservations.

5. Follow-up efforts to protect children from violence

The State of Qatar has developed effective procedures and mechanisms for reporting and submitting complaints to the Qatar Foundation for the Protection of Children and Women, where complaints are received through a 24-hour hotline for child support (919 complaints). Sheltering service is also provided at Dar Al-Aman in Qatar, in cooperation with Public prosecution. The Social Action Foundation and its



affiliated centers carry out ongoing awareness-raising efforts, for example the "Stop Silence" Campaign and the Campaign to Combat Violence against persons with disabilities.

It should be noted that a draft law on children is being studied by the competent legislative authority since 2012 where the delay in its issuance is an obstacle to the protection and promotion of children's rights. The NHRC recommended expediting its issuance and addressed the competent authority several times to inquire about the delay and did not receive a clear response.

6. Encourage freedom of expression and opinion:

In the year 2016, an Emiri amnesty exempted Muhammad Al-Ajmi, known as Ibn Al-Dhib from serving his sentence further.

The year 2017 witnessed the registration of 4 associations. However, from a legislative point of view, this right still faces restrictions on the procedures of establishing associations and determining the scope of their activities. The law of combating cybercrime and the Press and Publications Law should also be reviewed.

The people of Qatar exercise their religious freedom, as the State of Qatar provides a complex for religions, including churches of various Christian denominations. The Doha Center for Interfaith Dialogue plays an important role in promoting a culture of dialogue and acceptance of the other.